



05-24-04

1732

DOCKET NO.:SMIT-2916

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeffrey M. Smith

Examiner: Tentoni, Leo B.

Serial No.: 09/615,906

Art Unit: 1732

Filed: 07/13/2000

For: **METHOD AND APPARATUS FOR CREATING THREE-DIMENSIONAL  
OBJECTS BY CROSS-SECTIONAL LITHOGRAPHY**

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Commissioner for Patents  
Washington, D.C. 20231

Sir:

This paper is in response to the decision on the petition filed April 15, 2004 under C.F.R. §1.48. Respectfully, Applicant hereby requests reconsideration of the decision to dismiss the petition and provides herewith appropriate papers to correct defects. Included are: statements from each person who is being added as an inventor that the invention error occurred without any deceptive intention on their part and a statement by the original named inventor consenting to the change in inventorship.

Date: May 21, 2004

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Arlen L. Olsen  
Reg. No. 37,543

SCHMEISER, OLSEN & WATTS  
3 Lear Jet Lane, Suite 201  
Latham, NY 12110  
(518) 220-1850

09/615,906



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jeffrey M. Smith

Docket No.:SMIT-2916

Serial No.: 09/615,906

Art Unit: Unknown

Filed: 07/13/2000

Examiner: Unknown

Title: METHOD AND APPARATUS FOR CREATING THREE-DIMENSIONAL OBJECTS  
BY CROSS-SECTIONAL LITHOGRAPHY

**PETITION UNDER C. F. R § 1.48**

Commissioner for Patents  
Washington, D.C. 20231

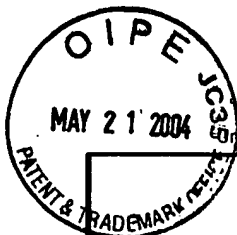
Applicants petition to correct Inventorship of above referenced application. Applicants contend that Laura B. Smith, Roger D. Whitmer, and Gerald E. Bender are true inventors of the above referenced application and were unintentionally left off the declaration without deceptive intent, and Applicants hereby request entry of the attached new declaration. Inventor, Jeffrey M. Smith, agrees to the change of inventorship and has no disagreement with the requested change.

Attached:  
Statements from Jeffrey M. Smith, Laura B. Smith  
Roger D. Whitmer, and Gerald E. Bender  
Declaration Signed by All Inventors  
Statement from Assignee Consenting to New Declarations  
Petition Fee under C. F. R. § 1.17(h)

Dated: May 21, 2004

Respectfully submitted

Arlen L. Olsen  
Registration No.: 37,543  
Schmeiser, Olsen & Watts LLP  
3 Lear Jet Lane, Suite 201  
Schmeiser, Olsen & Watts  
Latham, New York 12110  
(518) 220-1850



### STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Jeffrey B. Smith, Laura B. Smith, Roger D. Whitmer and Gerald E. Bender

Application No./Patent No.: 09/615,906 Filed/Issue Date: 07/13/2000

Entitled: METHOD AND APPARATUS FOR CREATING THREE-DIMENSIONAL OBJECTS BY CROSS-SECTIONAL LITHOGRAPHY

EOM Technologies, L.L.C., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

May 21, 2004

Date

518-220-1850

Telephone number

Arlen L. Olsen

Typed or printed name

[Signature]  
Signature

\_\_\_\_\_  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## ASSIGNMENT

Whereas, we

(1)	Jeffrey M. Smith	City of Pittsfield and State of Massachusetts
(2)	Laura B. Smith	City of Pittsfield and State of Massachusetts
(3)	Roger D. Whitmer	City of Pittsfield and State of Massachusetts
(4)	Gerald E. Bender	City of Cheshire and State of Massachusetts

have invented certain improvements in a:


### METHOD AND APPARATUS FOR CREATING THREE-DIMENSIONAL OBJECTS BY CROSS-SECTIONAL LITHOGRAPHY

Dates That	and executed, respectively, a United States patent application therefor on	
Inventors		
Signed the	(1) <i>march 31,</i>	2003
Declaration	(2) <i>march 31,</i>	2003
	(3) <i>April 1,</i>	2003
	(4) <i>April 1,</i>	2003

And whereas, EOM TECHNOLOGIES, L.L.C., a corporation of Massachusetts, having a place of business at 601 Dalton Division Road, Dalton, MA 01226, (hereinafter called EOM TECHNOLOGIES, L.L.C. ), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

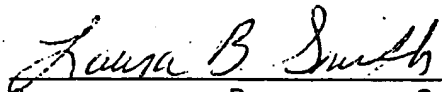
Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby sell, assign, and transfer to EOM TECHNOLOGIES, L.L.C., its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the inventions set forth in said applications to EOM TECHNOLOGIES, L.L.C., its successors and assigns; and we hereby agree that EOM TECHNOLOGIES, L.L.C. may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by EOM TECHNOLOGIES, L.L.C.

(1) at  
on *3/31/* 2003

			Signature Inventor
( Jeffrey )	M.	Smith	
First Name	Middle	Last Name	

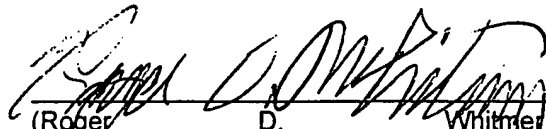
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APR 04 2003  
SCHMEISER, OLSEN  
& WATTS

(2) at  
on 3/31/ 2003

  
(Laura B. Smith )  
First Name Middle Last Name

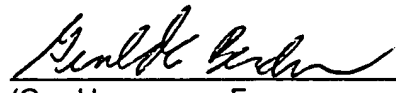
Signature  
Inventor

(3) at  
on 4/1/ 2003

  
(Roger D. Whithier )  
First Name Middle Last Name

Signature  
Inventor

(4) at  
on 4/1/ 2003

  
(Gerald E. Bender )  
First Name Middle Last Name

Signature  
Inventor



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jeffrey M. Smith et al.

Docket No.: SMIT-2916

Serial No.: 09/615,906

Art Unit: Unknown

Filed: 07/13/00

Examiner: Unknown

Title: **METHOD AND APPARATUS FOR CREATING THREE-DIMENSIONAL  
OBJECTS BY CROSS-SECTIONAL LITHOGRAPHY**

**STATEMENT OF CURRENT NAMED INVENTOR**

Commissioner for Patents  
Washington, D.C. 20231

I, Jeffrey M. Smith, declare that (1) I am a true inventor of the above referenced application; (2) that I agree to the change of inventorship to add Laura B. Smith, Roger D. Whitmer and Gerald E. Bender to the above-identified patent and I also have no disagreement with regard to the requested change of inventorship.

Respectfully submitted,  
Jeffrey M. Smith

Dated: May 20, 2004

601 Dalton Division Road  
Pittsfield, MA 01226



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jeffrey M. Smith

Docket No.: SMIT-2916

Serial No.: 09/615,906

Art Unit: Unknown

Filed: 07/13/00

Examiner: Unknown

Title: **METHOD AND APPARATUS FOR CREATING THREE-DIMENSIONAL  
OBJECTS BY CROSS-SECTIONAL LITHOGRAPHY**

**STATEMENT OF NEWLY NAMED INVENTOR**

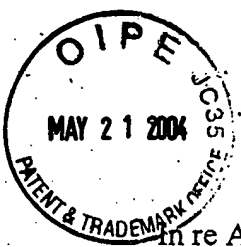
Commissioner for Patents  
Washington, D.C. 20231

I, Laura B. Smith, declare that I am a true inventor of the above referenced application  
and that my name was unintentionally left off the declaration without deceptive intent.

Respectfully submitted,  
Laura B. Smith

Dated: 3/31/03

Laura B. Smith  
601 Dalton Division Road  
Pittsfield, MA 01226



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jeffrey M. Smith

Docket No.: SMIT-2916

Serial No.: 09/615,906

Art Unit: Unknown

Filed: 07/13/00

Examiner: Unknown

Title: **METHOD AND APPARATUS FOR CREATING THREE-DIMENSIONAL  
OBJECTS BY CROSS-SECTIONAL LITHOGRAPHY**

**STATEMENT OF NEWLY NAMED INVENTOR**

Commissioner for Patents  
Washington, D.C. 20231

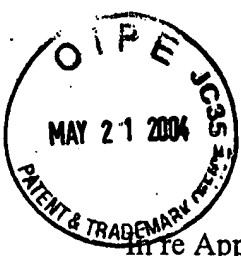
I, Roger D. Whitmer, declare that I am a true inventor of the above referenced application  
and that my name was unintentionally left off the declaration without deceptive intent.

Respectfully submitted,  
Roger D. Whitmer

Dated: 4/1/03

Roger D. Whitmer  
35 Bellmore Drive  
Pittsfield, MA 01201





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jeffrey M. Smith

Docket No.: SMIT-2916

Serial No.: 09/615,906

Art Unit: Unknown

Filed: 07/13/00

Examiner: Unknown

Title: **METHOD AND APPARATUS FOR CREATING THREE-DIMENSIONAL  
OBJECTS BY CROSS-SECTIONAL LITHOGRAPHY**

**STATEMENT OF NEWLY NAMED INVENTOR**

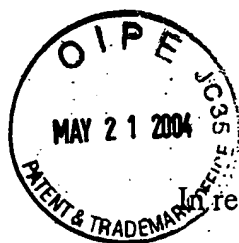
Commissioner for Patents  
Washington, D.C. 20231

I, Gerald E. Bender, declare that I am a true inventor of the above referenced application  
and that my name was unintentionally left off the declaration without deceptive intent.

Respectfully submitted,  
Gerald E. Bender

Dated: 4/1/03

Gerald E. Bender  
99 Furnace Hill Road  
Cheshire, MA 01225



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jeffrey M. Smith

Docket No.: SMIT-2916

Serial No.: 09/615,906

Art Unit: Unknown

Filed: 07/13/2000

Examiner: Unknown

Title: METHOD AND APPARATUS FOR CREATING THREE-DIMENSIONAL OBJECTS  
BY CROSS SECTIONAL LITHOGRAPHY

STATEMENT OF ASSIGNEE

Commissioner for Patents  
Washington, D.C. 20231

I the undersigned, as a representative of the assignee, EOM TECHNOLOGIES, L.L.C.,  
consent to the change of Inventorship, adding Laura B. Smith, Roger D. Whitmer, and Gerald E.  
Bender as Inventors of the above referenced Application.

Respectfully submitted,  
Arlen L. Olsen  
Reg. No. 37,543

Dated: 4-11-2003

Arlen L. Olsen  
Reg. No. 37,543  
SCHMEISER, OLSEN & WATTS  
3 Lear Jet Lane, Suite 201  
Latham, NY 12110  
(518) 220-1850

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Jeffrey M. Smith

Docket No.

SMIT-2916

Serial No.

09/615,906

Filing Date

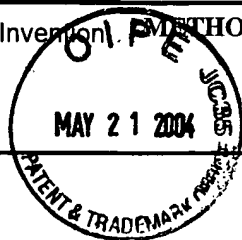
07/13/2000

Examiner

Tentoni, Leo B.

Group Art Unit

1732

Invention: **METHOD AND APPARATUS FOR CREATING THREE-DIMENSIONAL OBJECTS BY**I hereby certify that this Petition Under C.F.R. Sec. 1.48 and corresponding paperwork

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 21, 2004

(Date)

Melody A. McCormick

(Typed or Printed Name of Person Mailing Correspondence)

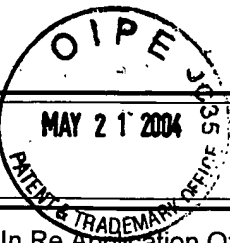
A handwritten signature in cursive script that reads "Melody A. McCormick".

(Signature of Person Mailing Correspondence)

EV 482722224 US

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**Note: Each paper must have its own certificate of mailing.**



MAY 21 2004

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
**SMIT-2916**

In Re Application Of: **Jeffrey M. Smith**

Serial No.  
**09/615,906**

Filing Date  
**07/13/2000**

Examiner  
**Unknown**

Group Art Unit  
**Unknown**

Title: **METHOD AND APPARATUS FOR CREATING THREE-DIMENSIONAL OBJECTS BY  
CROSS-SECTIONAL LITHOGRAPHY**

**TO THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE:**

Transmitted herewith is:

**Petition under C.F.R. 1.48**  
**Statement from Current Named Inventor, Jeffrey M. Smith**  
**Statements for L. Smith, R. Whitmer and G. Bender**  
**Petition Fee Under C.F.R. Sec. 1.20(b)**  
**Statement Under 37 CFR 3.73(b)**

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of **\$130.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-0513**  
as described below.
- ☐ Charge the amount of
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.

  
Signature

Dated: **May 21, 2004**

**Arlen L. Olsen**  
**Reg. No. 37,543**  
**SCHMEISER, OLSEN & WATTS**  
**3 Lear Jet Lane, Suite 201**  
**Latham, NY 12110**  
**(518) 220-1850**

I certify that this document and fee is being deposited  
on \_\_\_\_\_ with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Director of the United States Patent and Trademark Office,  
P.O. Box 1450, Alexandria, VA 22313-1450.

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

CC: